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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/526,787	12/12/2005	Koji Hasegawa	JCLA16283	7885
J C Patents Suite 250 4 Venture Irvine, CA 92618	7550 03/19/2008		EXAMINER EDWARDS, LAURA ESTELLE	
			ART UNIT 1792	PAPER NUMBER
			MAIL DATE 03/19/2008	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/526,787

**Applicant(s)**

HASEGAWA ET AL.

**Examiner**

Laura Edwards

**Art Unit**

1792

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 December 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6, 8-10 and 12-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 25, 27 and 28 is/are allowed.
- 6) ☒ Claim(s) 1-6, 17-22 and 24 is/are rejected.
- 7) ☒ Claim(s) 8-16, 23 and 26 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 20071219
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

***Correction of Record with respect to Non-final Office Action***

Acknowledgment is made of the typographical error on page 4 of the non-final office action (6/27/07). Claims 6, 17, 2[2], protruding baffle of claim 18, and 20 were explained in detail. However, the rejection heading only set forth claim 6. The heading should have included claims 6, 7, 17-20, and 22 as being rejected under 35 U.S.C. 103(a) as being unpatentable over Takahiro et al (JP7-328408). The office action summary (PTOL-326 Form) set forth claims 1-7 and 17-22 as being rejected. An apology is extended to Applicants for any inconvenience.

***Claim Rejections - 35 USC § 112***

Claim 24 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 24 has been amended to depend from claim 21 such that now "said sealing means" lacks antecedent basis. Should this claim be amended, claim 26 will be a duplicate claim and one of the two claims should be cancelled.

***Claim Rejections - 35 USC § 102***

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1, 2, and 4 are rejected under 35 U.S.C. 102(b) as being anticipated by Takahiro et al (JP7-328408) for reasons set forth in the previous office action.

In addition, Takahiro et al provide a rotatable drum including a ventilation mechanism wherein said rotating drum includes one end (area about element 15) and an opposite other end (aligns with leg (3)) along the direction of the axial line and an outer peripheral wall (area about element 8) that connects said one end and said other end, said outer peripheral wall has no air passage, said one end and said other end are respectively provided with an air vent, one of which constitutes an air inlet (11) for supplying process gas from outside into said rotating drum, and the other one of which constitutes an air outlet (13) for exhausting the process gas from inside said rotating drum to the outside, said ventilation mechanism provided at the other end of said rotating drum for communicating the air vent at said other end to an air duct (area about element 10) at a preset location beneath the granules where lower air vent (13) coincides or overlaps a layer of the granules filling the inside of said rotating drum, wherein the process gas supplied into said rotating drum through said air inlet is passed through said layer of the granules inside said rotating drum and to be exhausted from said air outlet.

***Claim Rejections - 35 USC § 103***

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Takahiro et al (JP7-328408) in view of Gross (JP43-19511 ) for reasons set forth in the previous office action.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Takahiro et al (JP7-328408) in view of Takei et al (US 5,507,868) for reasons set forth in the previous office action.

Claims 6, 17-20, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takahiro et al (JP7-328408).

With respect to claim 6, the teachings of Takahiro et al have been set forth previously but Takahiro et al are silent concerning the air vent at one end of said rotating drum provided in an opening whose center coincides with the axial line of said rotating drum. However, one of ordinary skill in the art would readily appreciate centering the opening with the axial line of the drum in order to more uniformly distribute fluid flow through the drum and the contents therein.

With respect to claims 17 and 22 and the shaping of the drum, it is within the purview of one skilled in the art to provide a shaping of the drum as desired to invoke further tumbling action of the contents of the drum to effect more uniform coating of the contents.

With respect to the use of baffles as set forth in claim 18, Takahiro et al provide baffles as shown in the drawings such that patentability would not result from reconfiguring the baffles to protrude from the inner wall of the drum to further agitate the contents.

Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Takahiro et al (JP7-328408) in view of Arami et al (JP62-294461) for reasons set forth in the previous office action.

***Allowable Subject Matter***

Claims 8-10, 12-16, 23, and 26 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 25, 27, and 28 would be allowable.

Claim 24 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims. Claim 24 needs to depend from allowable claim 23 (See above about duplicate claim 26).

Claims 8, 9, and 12-14 would be allowable because there is no teaching or suggestion in the prior art of the a coating apparatus comprising the combination of a ventilated rotating drum in which granules to be processed are accommodated and which is driven to rotate around its axial line, and a ventilation mechanism, the rotating drum including one end and the other end along the direction of the axial line and a peripheral wall that connects said one end and said other end, said other end being located on the side of a rotary drive mechanism for driving said rotating drum, the peripheral wall has no air passage, said one end and said other end are respectively provided with an air vent, one an air inlet, the other an air outlet for exhausting the process gas from inside said rotating drum to the outside, the ventilation mechanism provided at the other end of said rotating drum for communicating the air vent at said other end to an air duct at a preset location where the air vent at said other end overlaps a layer of the granules inside said rotating drum, wherein the process gas supplied into said rotating drum through said air inlet

is passed through said layer of the granules inside said rotating drum and to be exhausted from said air outlet, and the ventilation mechanism including a first disc plate constituting the other end of said rotating drum and having an air vent consisting of porous parts arranged in a ring shape around the axial line of said rotating drum, and a second disc plate arranged opposite said first disc plate and having a connection hole for communicating the air vent of said first disc plate to said air duct at a preset location.

Claim 10 would be allowable because there is no teaching or suggestion in the prior art of the a coating apparatus comprising the combination of a ventilated rotating drum in which granules to be processed are accommodated and which is driven to rotate around its axial line, and a ventilation mechanism, the rotating drum including one end and the other end along the direction of the axial line and a peripheral wall that connects said one end and said other end, said other end being located on the side of a rotary drive mechanism for driving said rotating drum, the peripheral wall has no air passage, said one end and said other end are respectively provided with an air vent, one an air inlet, the other an air outlet for exhausting the process gas from inside said rotating drum to the outside, the ventilation mechanism provided at the other end of said rotating drum for communicating the air vent at said other end to an air duct at a preset location where the air vent at said other end overlaps a layer of the granules inside said rotating drum, wherein the process gas supplied into said rotating drum through said air inlet is passed through said layer of the granules inside said rotating drum and to be exhausted from said air outlet, and the air vent at said other end of the rotating drum is further able to communicate to a second air duct at a second preset location where the air vent at said other end overlaps an

upper space above said layer of the granules inside said rotating drum, said preset location and said second preset location being selectable such that when said second preset location is selected, the process gas flows through the upper space above said layer of the granules between the air vent at said other end at said second preset location and the air vent at said one end.

Claims 15 and 16 would be allowable because there is no teaching or suggestion in the prior art of the a coating apparatus comprising the combination of a ventilated rotating drum in which granules to be processed are accommodated and which is driven to rotate around its axial line, and a ventilation mechanism, the rotating drum including one end and the other end along the direction of the axial line and a peripheral wall that connects said one end and said other end, said other end being located on the side of a rotary drive mechanism for driving said rotating drum, the peripheral wall has no air passage, said one end and said other end are respectively provided with an air vent, one an air inlet, the other an air outlet for exhausting the process gas from inside said rotating drum to the outside, the ventilation mechanism provided at the other end of said rotating drum for communicating the air vent at said other end to an air duct at a preset location where the air vent at said other end overlaps a layer of the granules inside said rotating drum, wherein the process gas supplied into said rotating drum through said air inlet is passed through said layer of the granules inside said rotating drum and to be exhausted from said air outlet, and the other end of said rotating drum is connected to a hollow drive shaft of the rotary drive mechanism for driving said rotating drum, and granule products inside said rotating drum are discharged to the outside through inside said hollow drive shaft.

Claims 23, 24, and 26 would be allowable because there is no teaching or suggestion in the prior art of the a coating apparatus comprising the combination of a ventilated rotating drum



in which granules to be processed are accommodated and which is driven to rotate around its axial line, and a ventilation mechanism, the rotating drum including one end and the other end along the direction of the axial line and a peripheral wall that connects said one end and said other end, said other end being located on the side of a rotary drive mechanism for driving said rotating drum, the peripheral wall has no air passage, said one end and said other end are respectively provided with an air vent, one an air inlet, the other an air outlet for exhausting the process gas from inside said rotating drum to the outside, the ventilation mechanism provided at the other end of said rotating drum for communicating the air vent at said other end to an air duct at a preset location where the air vent at said other end overlaps a layer of the granules inside said rotating drum, wherein the process gas supplied into said rotating drum through said air inlet is passed through said layer of the granules inside said rotating drum and to be exhausted from said air outlet, and one end of the rotating drum is covered by a part of casing to which a third air duct is attached, with sealing means for providing a seal between said one end and said part of casing.

Claims 25 and 28 would be allowable because there is no teaching or suggestion in the prior art of a coating apparatus comprising the combination of a ventilated rotating drum in which granules are processed and accommodated and drive to rotate around an axial line, the drum includes one end and the other along the direction of the axial line and a peripheral wall that connects the one end and the other end, the other end being located on the side of a rotary drive mechanism for driving said rotating drum; said one end and said other end are respectively provided with an air vent, one of which constitutes an air inlet for supplying process gas from outside into said rotating drum, and the other one of which constitutes an air outlet for

exhausting the process gas from inside said rotating drum to the outside; and the process gas supplied into said rotating drum through said air inlet is passed through a layer of the granules inside said rotating drum and exhausted from said air outlet. wherein one end of said rotating drum is covered by a part of casing to which a third air duct is attached, with sealing means for providing a seal between said one end and said part of casing.

Claim 27 would be allowable because there is no teaching or suggestion in the prior art of a coating apparatus comprising the combination of a ventilated rotating drum in which granules are processed and accommodated and the drum drive to rotate around its axial line, and a peripheral wall that connects said one end and said other end, said other end being located on the side of a rotary drive mechanism for driving said rotating drum; said one end and said other end are respectively provided with an air vent, one of which constitutes an air inlet for supplying process gas from outside into said rotating drum, and the other one of which constitutes an air outlet for exhausting the process gas from inside said rotating drum to the outside; and the process gas supplied into said rotating drum through said air inlet is passed through a layer of the granules inside said rotating drum and exhausted from said air outlet wherein the other end of said rotating drum is connected to a hollow drive shaft of the rotary drive mechanism for driving said rotating drum, and granule products inside said rotating drum are discharged to the outside through inside said hollow drive shaft.

### ***Response to Arguments***

Applicants' arguments filed 12/19/07 have been fully considered but they are not persuasive.

Applicants contend that Takahiro et al fail to anticipate the claimed invention because Takahiro et al provide for a perforated/porous drum wall while the instantly claimed invention contains no porous walls at all. Therefore, all rejections based on Takahiro et al alone/in combination should be withdrawn. All arguments are not deemed persuasive because the presently claimed invention does not exclude plural porous walls only a single porous wall. Takahiro et al provide for an outer peripheral wall where no holes are disposed adjacent an inner porous wall. Therefore, Takahiro et al still anticipates the claimed invention. All remaining rejections based on Takahiro et al alone/in combination still stand.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laura Edwards whose telephone number is (571) 272-1227. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nadine Norton can be reached on (571) 272-1465. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Laura Edwards/  
Primary Examiner  
Art Unit 1792

Le  
March 13, 2008